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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,534	08/21/2003	David L. Stockert	3562-000036	8487
27572	7590	07/18/2006	EXAMINER	
HARNESSE, DICKEY & PIERCE, P.L.C.			STINSON, FRANKIE L	
P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	

1746

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/646,534

Applicant(s)

STOCKERT ET AL.

Examiner

FRANKIE L. STINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/16/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 and 11-21 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by EPO'275 (European patent Office 0 227 275).

Re claim 1 for example, note that EPO'275 is cited disclosing an industrial parts washer for cleaning a part, the industrial parts washer comprising: a stand (6) adapted to support the part; a chamber (26, see fig. 2) selectively moveable from a first position clear of the part to a second position engaging said stand, said stand and said chamber forming a sealed volume encapsulating the part when said chamber is in said second position; and a nozzle (7, 8) coupled to a pressurized fluid supply, said nozzle being positioned within said chamber and moveable relative to the part.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over EPO'275.

Claim 8 defines over EPO'275 only in the recitation of the cylindrical chamber.

Nonetheless, to have the chamber shaped as claimed, is deemed to be an obvious matter of design. This is also applicable to the ring nozzle.

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5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over EPO'275 in view of Neumann et al. (U. S. Pat. No. 5,188,135).

Claim 10 defines over EPO'275 only in the recitation of the transparent housing. Neumann discloses the housing as claimed (see claim 13). It therefore would have been obvious to one having ordinary skill in the art to modify the device of EPO'275 to have the housing transparent as taught by Neumann, for the purpose of viewing the washing process if desired.

6. Claims 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over EPO'275 in view of Kramer et al. (U. S. Pat. No. 5,000,206).

Claim 23 defines over the EPO'275 only in the recitation of the rotatable hub. Kramer discloses the rotatable hub as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of EPO'275, to have the article being treated, to be treated rotatably as taught by Kramer via a hub, for the purpose of ensuring the complete coverage on washing fluid to the article. Re claims 24-27, EPO'275 discloses the cantilever slide and nozzles as claim and vacuum (as at 55).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Sasaki, Olcott et al., Peterson, Miller, Adams, Simon, Gurr, Young, Albright, Michel et al., Taggart, Moritz et al., Probst, Budinsky et al., note the chamber means.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is


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(571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls


FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746